

520 Rec'd PCT/PTO 05 NOV 1999

US

PCT Applicant's Guide - Volume II - National Chapter - US Annex US.II, page-1

FORM PTO-1390  
(REV 10-97)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

DATE: November 5, 1999

EXPRESS MAIL LABEL NO.  
EL368757437USATTORNEY DOCKET NO.  
36368/DRK

U.S. APPLICATION NO.

09/423401

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED  
November 6, 1998

## TITLE OF INVENTION

**METHOD OF SELECTIVE POST-GROWTH TUNING OF AN OPTICAL BANDGAP OF A SEMI-CONDUCTOR  
HETEROSTRUCTURE AND PRODUCTS PRODUCED THEREOF**

APPLICANT(S) FOR DO/EO/US

LI, Gang and CHUA, Soo Jin

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/LUS).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). **UNEXECUTED**
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

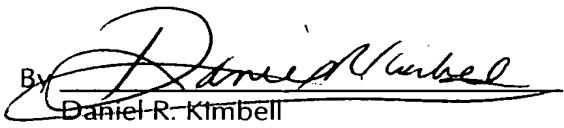
## Items below concern other document(s) or other information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☐ Small entity claim with a copy of this transmittal letter attached.
17. ☐ International search report.
18. ☐ International preliminary examination report.
19. ☒ Formal Drawings (14 sheets)
20. ☒ Copy of Singapore Application No. 9804027-2 filed November 6, 1998
21. ☐

JC962 U.S. PTO

JC478 U.S. PTO

11/05/99

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY DOCKET NO. <b>36368/DRK</b>	
<b>09/423401</b> See Note (1) below <b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b> Search Report has been prepared by the EPO or JPO ..... <b>\$ 840.00</b> International preliminary examination fee paid to USPTO (37 CFR 1.482) ... <b>\$ 670.00</b> No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... <b>\$ 760.00</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$ 970.00</b> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) ..... <b>\$ 96.00</b>  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		<b>CALCULATIONS</b>		<b>PTO USE ONLY</b>	
Surcharge of \$130 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					
<b>Claims</b>	<b>Number Filed</b>	<b>Number Extra</b>	<b>Rate</b>		
Total Claims	<b>28</b> -20=	<b>8</b>	<b>X \$18</b>	<b>\$ 144</b>	
Independent Claims	<b>4</b> -3=	<b>1</b>	<b>X \$78</b>	<b>\$ 78</b>	
Multiple dependent claim(s) (if applicable)			<b>+ \$260</b>	<b>\$</b>	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 222</b>	
Reduction by 1/2 for filing by small entity, if applicable. Verified Small entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).				<b>\$</b>	
<b>SUBTOTAL =</b>				<b>\$ 222</b>	
Processing fee of \$130 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				<b>\$</b>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				<b>\$</b>	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 982</b>	
<b>Note (1): The basic national fee must be paid when filing this application. The 20-month time limit (37 CFR § 1.494) and 30-month time limit (37 CFR § 1.495) are not extendable.</b>				Amount to be:	\$
				refunded	\$
				charged	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of <b>\$ 982</b> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>03-1728</b>. A duplicate copy of this sheet is enclosed.</p> <p><b>NOTE (2): Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b></p> <p>SEND ALL CORRESPONDENCE TO:</p> <p><b>Daniel R. Kimbell</b>  <b>CHRISTIE, PARKER &amp; HALE</b>  <b>P.O. Box 7068</b>  <b>Pasadena, CA 91109-7068</b></p>					
				By  <b>Daniel R. Kimbell</b> Reg. No. 34,849	

**f a c s i m i l e**  
**T R A N S M I T T A L**

Date: November 26, 2002

No. of Pages: 13 (including this cover sheet)

Fax No: (703) 308-6459

**PLEASE DELIVER THE FOLLOWING PAGES IMMEDIATELY TO:**

Name: Commissioner for Patents

Examiner: Rafael Bacares

Phone: (703) 308-6312

From: Daniel R. Kimbell  
Reg. No. 34,849

Re: Application No. 09/423,401; Filed November 5, 1999  
Entitled METHOD OF SELECTIVE POST-GROWTH TUNING OF AN  
OPTICAL BANDGAP OF A SEMI-CONDUCTOR HETEROSTRUCTURE  
AND PRODUCTS PRODUCED THEREOF

File: 36368/DRK/L359

**RECEIVED**

26 NOV 2002

Legal Staff  
International Division

I HEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMILE TRANSMITTED TO THE  
PATENT AND TRADEMARK OFFICE ON November 26, 2002.

  
Elizabeth A. Jue

**Christie, Parker & Hale, LLP**  
350 West Colorado Boulevard  
Post Office Box 7068  
Pasadena, CA 91109-7068  
626-795-9900  
Fax: 626-577-8800

**For Office Service Us Only**  
**Return to Elizabeth A. Jue**

**confidential**

*The information in this transmission is confidential and is intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is prohibited. If you have received this communication in error, please notify us immediately by telephone collect, and return the original message to us at the above address via U.S. mail. We will reimburse you for postage. Thank you.*



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Patent Cooperation Treaty  
Legal Office

Address: Assistant Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

**JUL 31 2000**

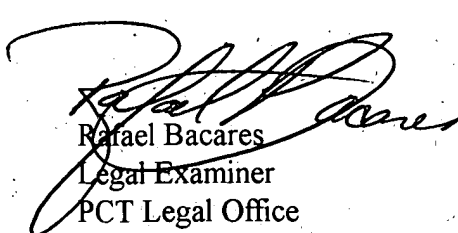
Daniel R. Kimbell  
CHRISTIE, PARKER & HALE  
P.B. Box 7068  
Pasadena, CA 91109-7068

*In re* Application of  
LI et al  
Application No.: 09/423,401  
PCT No.:  
International Filing Date:  
Priority Date Claimed: 06 November 1998  
Attorney Docket Number: 36368/DRK  
For: METHOD OR SELECTIVE POST-GROWTH TUNING  
OF AN OPTICAL BANDGAP OF A SEMI-CONDUCTOR  
HETEROSTRUCTURE AND PRODUCTS PRODUCED  
THEREFORE


Communication

A review of for the above-captioned application reveals that applicants have not provided the international application number (PCT number), or the international filing date with the transmittal letter and other documents submitted 05 November 1999.

Applicants must provide this information within ONE (1) MONTH from the mail date of this notification. Failure to respond will result in the abandonment of this application.

  
Rafael Bacares  
Legal Examiner  
PCT Legal Office

Telephone: (703) 308-6312  
Facsimile: (703) 308-6459

  
Boris Milef  
Legal Examiner  
PCT Legal Office